

Bill No. CS for CS for SB 1666

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Mitchell moved the following amendment:

**Senate Amendment (with title amendment)**

On page 120, between lines 21 and 22,

insert:

Section 54. Paragraph (a) of subsection (2), paragraph (a) of subsection (4), and paragraph (b) of subsection (9) of section 784.046, Florida Statutes, are amended to read:

784.046 Action by victim of repeat violence for protective injunction; powers and duties of court and clerk of court; filing and form of petition; notice and hearing; temporary injunction; issuance; statewide verification system; enforcement.--

(2) There is created a cause of action for an injunction for protection in cases of repeat violence.

(a) Any person who is the victim of repeat violence or the parent or legal guardian of any minor child who is living at home and who seeks an injunction for protection against repeat violence on behalf of the minor child has standing in the circuit court to file a sworn petition for an injunction

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1 for protection against repeat violence.

2 (4)(a) The sworn petition shall allege the incidents  
3 of repeat violence and shall include the specific facts and  
4 circumstances which form the basis upon which relief is  
5 sought. With respect to a minor child who is living at home,  
6 the parent or legal guardian of the minor child must have been  
7 an eye-witness to, or have direct physical evidence or  
8 affidavits from eye-witnesses of, the specific facts and  
9 circumstances which form the basis upon which relief is  
10 sought.

11 (9)

12 (b) If the respondent is arrested by a law enforcement  
13 officer under s. 901.15(10)(8)for committing an act of repeat  
14 violence in violation of a repeat violence injunction for  
15 protection, the respondent shall be held in custody until  
16 brought before the court as expeditiously as possible for the  
17 purpose of enforcing the injunction and for admittance to bail  
18 in accordance with chapter 903 and the applicable rules of  
19 criminal procedure, pending a hearing.

20  
21 (Redesignate subsequent sections.)

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23  
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 4, line 28, after the second semicolon,

27  
28 insert:

29 amending s. 784.046, F.S.; revising provisions  
30 relating to petition for injunction for  
31 protection against repeat violence;